



## MEMORANDUM

Agenda Item No. 6(B)

(Second Reading 10-19-04)

**TO:** Honorable Chairperson Barbara Carey- Shuler, Ed.D.  
and Members, Board of County Commissioners

**DATE:** June 22, 2004

**FROM:**

George M. Burgess  
County Manager

**SUBJECT:** Proposed Ordinance  
Amending Chapter 10 of the  
Code of Miami-Dade County

### RECOMMENDATION

It is recommended that the Board adopt the attached proposed ordinance amending Chapter 10 of the Code of Miami-Dade County. These proposed changes were approved by the Construction Trades Qualifying Board (CTQB).

### BACKGROUND

This proposed ordinance, upon approval, would serve as a comprehensive update of Chapter 10, Contractors. The proposed Code updates are necessary in order to address State of Florida licensure equivalencies, construction specialization trends and the revising of administrative functions. The updates are as follows:


1. The scope of work of certain contractor categories was modified to make them equivalent to State licenses and eliminate conflicts with State registration requirements. Presently, locally licensed general building, sub-general building and sub-building contractors are allowed to perform roofing and swimming pool work (State contractors have to sub-contract these activities). The State Construction Industry Licensing Board considered that the scope of work was different from the State license and would not allow the registration of these licenses. The proposed ordinance grandfathers existing licensees and creates new contractor classifications: general contractor, building contractor and residential contractor. These new classifications have a similar scope of work to the State's equivalent classifications. In addition, the parity between general contractor and engineering contractor is eliminated for new licenses.
2. The experience requirement for general contractor licensure (10 years experience presently), is being reduced to four years; building contractor licensure (five years experience presently) is being reduced to four years and journeyman licensure (three years experience presently) is being reduced to two years. This reduction is recommended to bring the experience level for a County license to that of a State license, thereby making our local licensing more attractive to contractors.

3. The septic tank contractor, fire sprinkler contractor and elevator installation contractor categories are being eliminated. The State has assumed jurisdiction over these licenses.
4. Other contractor categories have been deleted due to changes in industry practices. The categories are communication tower contractor, welding inspector and gas control installation contractor.
5. New specialty contractor classifications are being introduced to satisfy emerging sub-contractor specialization, as well as building code and industry practice changes. The new specialty contractor categories are:
  - a. Waterproofing contractor: The category is established to differentiate this scope from the painting and roofing contractor categories in response to the development of installation criteria specific to waterproofing. The complexities involved in this type of installation require specialized personnel, in view of the fact that waterproofing must perform throughout the entire lifetime of the building.
  - b. Swimming pool and piping contractor: This license category is established to achieve uniformity with the State license by allowing the local swimming pool contractors to install piping fixtures.
  - c. Handyperson contractor: Since some homeowners wish to have small repairs made to their residences, there is a need for a licensed individual to perform minor repair work. This license is being established limiting work to under a \$2,500 contract value.
  - d. Residential stucco and plastering contractor: This license category is established as a result of requests from the construction community. This license is established to allow residential stucco contractors to perform work, limited to up to one-story residential structures.
6. There are other specialty contractor license categories that have been previously approved, by rule, under Chapter 10 by the CTQB. These categories did not require examination and are now incorporated into Chapter 10.
7. Ordinance 01-169 (Cross-Connection Control Ordinance), enacted by the Board of County Commissioners on October 23, 2001, required the introduction of the certified backflow preventer tester and certified backflow preventer specialist licenses.

8. Other amendments to the Chapter enact the following: assesses penalties for unlicensed contractors; clarifies procedures for notifying respondents in disciplinary hearings; modifies procedures in disciplinary action hearings orders; introduces consent agreements with a person charged with a violation of Chapter 10; updates references of sections of the South Florida Building Code to the Florida Building Code and Chapter 8 of the Code of Miami-Dade County; allows the appeal of an administrative suspension for undue hardship reasons; requires the certificate holder to notify the department of current address and telephone number; extends the types of projects that constitute contractor violation of abandonment without just cause; and includes the violation of the Miami-Dade County Public Works Manual as a Chapter 10 violation. These amendments are necessary to clarify procedures in contractor's licensing enforcement.
9. The organization and composition of the CTQB membership is also modified by adding a swimming pool contractor member, which will increasing the number of plumbing contractors from two (2) to three (3) and reducing the number of liquefied petroleum installation contractors members from two (2) to one (1). This amendment is necessary due to the existing large number of swimming pool contractors and the need to have this sector represented in the Board. The liquefied petroleum installation contractor member is being reduced by from two members to one, as this sector does not have a large number of contractors and the second board member position has been difficult to fill. This position is being substituted with a plumbing contractor member position, which is in a field with myriad licensees.

#### **FISCAL IMPACT**

There is no fiscal impact to Miami-Dade County or the municipalities.

  
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Pedro G. Hernandez, P.E.  
Assistant County Manager




# MEMORANDUM

(Revised)

**TO:** Hon. Chairperson Barbara Carey-Shuler, Ed.D.  
and Members, Board of County Commissioners

**DATE:** October 19, 2004

**FROM:**   
Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No. 6(B)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved \_\_\_\_\_ Mayor \_\_\_\_\_  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 6(B)

10-19-04

**ORDINANCE NO.** \_\_\_\_\_

**ORDINANCE AMENDING CHAPTER 10 OF THE MIAMI-DADE COUNTY CODE; ADDING GENERAL CONTRACTOR, BUILDING CONTRACTOR, RESIDENTIAL CONTRACTOR, WATERPROOFING CONTRACTOR, CERTIFIED BACKFLOW PREVENTER TESTER, CERTIFIED BACKFLOW PREVENTER, AND ASPHALT SEALING CONTRACTOR CLASSIFICATIONS; DELETING THE COMMUNICATION TOWER CONTRACTOR, WELDING INSPECTOR, SEPTIC TANK CONTRACTOR, FIRE SPRINKLER CONTRACTOR AND ELEVATOR INSTALLATION CONTRACTOR CLASSIFICATIONS; AMENDING CONTRACTOR CLASSIFICATIONS TO COMPLY WITH STATE STATUTES AND INDUSTRY PRACTICES; INCLUDING IN THE CHAPTER ALL CURRENT CONTRACTOR CATEGORIES APPROVED BY RULE BY THE CONSTRUCTION TRADES QUALIFYING BOARD; MAKING ENGAGING IN BUSINESS OR ADVERTISING AS A CONTRACTOR WITHOUT A CERTIFICATE OF COMPETENCY A MISDEMEANOR; MODIFYING PROCEDURES FOR IMPOSING DISCIPLINE; ADDING CONSENT AGREEMENTS WITH CONTRACTORS; MODIFYING ADMINISTRATIVE SUSPENSION; MODIFYING COMPOSITION OF CONSTRUCTION TRADES QUALIFYING BOARD; MODIFYING PROHIBITED ACTS AND OMISSIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

**Section 1.** Chapter 10 of the Code of Miami-Dade County, adopted by Ordinance No. 78-23, as amended, is hereby amended to read as follows:<sup>1</sup>

Chapter 10 CONTRACTORS

ARTICLE I. IN GENERAL

\* \* \*

**Sec. 10-1. Definitions**

In construing the provisions hereof and each and every word, term, phrase or part hereof where the context will permit, the definitions provided in Section 1.01, Florida Statutes, as presently written and as may hereafter be amended, and the following additional definitions shall apply:

\* \* \*

C) *Building*. "Building" relates to the erection, moving or demolition of structures used for the support, shelter and enclosure of persons, animals, chattels or movable property of any kind, and related structures. It includes the work required to construct, alter, repair, add to, subtract from, improve, move or demolish any building or other structure or part thereof; to excavate in connection therewith or incorporate labor or material therein. The scope of work of one (1) engaged in the trade of building shall be limited to the classification of the various building contractors contained in this chapter.

>>Building Code. Building Code shall be defined as set forth in Section 8-1 of the Code of Miami- Dade County.<<

\* \* \*

**Sec. 10-2. Certificate of competency and license required, classification and scope of work.**

\* \* \*

III. BUILDING CONTRACTOR

The scope of work of a building contractor shall be as defined in the various building contractor classifications listed herein:

(A) *General building contractor* is a building contractor >>, qualified and certified on or before the effective date of this ordinance,<< whose contracting business consists of the execution of contracts involving two (2) or more trades and who has the financial means, and has a qualifying agent with the experience, knowledge and skill gained by not less than ten (10) years' experience either as a superintendent for a general contractor or as a licensed building contractor for such period (or has had an education equivalent thereto), or any combination thereof, to construct and properly supervise, direct and coordinate the construction of

buildings and other structures in such a manner as to comply with all plans, specifications, codes, laws and regulations applicable and who has satisfactorily passed a general building contractors' examination. The scope of work of the general contractor shall be unlimited as to height, area and complexity of the construction such contractor undertakes. Such contractor shall sub-contract to a qualified contractor in the field concerned, all other work specified herein as being the exclusive work of a plumbing, electrical, mechanical, or liquefied petroleum gas contractor, including the specialties and categories thereunder. A general building contractor may do, contract for, and take out permits for the work of a general engineering contractor, room air conditioning contractor, installation only, and any specialty building contractor as defined herein. ~~[[except that of a welding inspector.]]~~>>No further certificates shall be issued for the general building contractor category after the effective date of this ordinance.<<

- (B) *Sub-general building contractor* is a building contractor>>, qualified and certified on or before the effective date of this ordinance,<< whose contracting business consists of the execution of contracts involving two (2) or more trades, and who has the financial means, and has a qualifying agent with the experience, knowledge and skill gained by not less than five (5) years' experience either as a superintendent for a general contractor or a sub-contractor or has been licensed as a sub-building contractor for such period (or has had an education equivalent thereto), or any combination thereof, to construct and properly supervise, direct and coordinate the constructions of not more than three (3) stories in height. This provision shall not prohibit him from engaging in interior alterations and repairs to buildings of greater height, or from acting as a subcontractor under the supervision or responsibility of a general contractor in the construction of a structure of a greater height. Such sub-general building contractor shall sub-contract to a qualified contractor in the field concerned all other work specified herein as being exclusive work of a plumbing, electrical, mechanical, or liquefied petroleum gas contractor, including the specialties and categories thereunder. A sub-general contractor may construct, contract for, and take out permits for sidewalks, curbs and gutters on rights-of-way or proposed rights-of-way when such work is incidental and pertinent to the work of a sub-general contractor, and may perform the work of a room air conditioning contractor, installation only, and of any specialty building contractor within the limits of work of a sub-general contractor as defined herein. ~~except that of house moving [[and welding inspector]].~~ Demolition work of such a sub-general building contractor shall be limited to the size and scope of buildings or structures which a sub-general building contractor is permitted to erect.>>No further certificates shall be issued for the sub-general building contractor category after the effective date of this ordinance.<<

- (C) *Sub-building contractor* is a building contractor>>, qualified and certified on or before the effective date of this ordinance,<< whose contracting business consists of the execution of contracts involving two (2) or more trades and who has the financial means and has a qualifying agent with the experience, knowledge and skill gained by not less than three (3) years' experience as a superintendent for a general, and/or a sub-general building and/or a sub-building contractor (or has had an education equivalent thereto), or any combination thereof, to construct and properly supervise, direct and coordinate the construction of buildings and other structures in such a manner as to comply with all plans, specifications,

codes, laws and regulations applicable and has satisfactorily passed a sub-building contractors examination. The scope of work of the sub-building contractor shall be limited to construction, addition, alteration or repair of non-residential buildings not exceeding fifteen hundred (1500) square feet in area and one (1) story in height, except that such contractor may construct, add to, or repair single family, or two-family buildings of any area where such building is of simple design with load bearing walls, and does not exceed two (2) stories in height. Such sub-building contractor shall subcontract to a qualified contractor in the field concerned all other work specified herein as being the exclusive work of a plumbing, electrical, mechanical, ~~[[or]]~~ liquefied petroleum gas contractor, including the specialties and categories thereunder. A sub-building contractor may construct, contract for and take out permits for sidewalks, curbs and gutters on rights of-way or proposed rights-of-way when such work is incidental and pertinent to the work of a sub-building contractor, and may perform the work of a room air conditioning contractor, (installation only), and of any specialty building contractor regardless of the height of building, except those specialties which involve structural work, in which case such contractor shall be limited to the same building as is permitted within the scope of work of a sub-building contractor as defined herein. ~~excepting that of house moving [[and welding inspector]]~~. Demolition work of such a contractor shall be limited to the size and scope of buildings or structures which a sub-general building contractor is permitted to erect. >>No further certificates shall be issued for the sub-building contractor category after the effective date of this ordinance.

(D) General contractor is a building contractor whose contracting business consists of the execution of contracts involving two (2) or more trades and who has the financial means, and has a qualifying agent with the experience, knowledge and skill gained by not less than four (4) years' experience either as a superintendent for a general contractor or as a licensed building contractor for such period (or has had an education equivalent thereto), or any combination thereof, to construct and properly supervise, direct and coordinate the construction of buildings and other structures in such a manner as to comply with all plans, specifications, codes, laws and regulations applicable and who has satisfactorily passed a general building contractors' examination. The scope of work of the general contractor shall be unlimited as to height, area and complexity of the construction such contractor undertakes. Such contractor shall sub-contract to a qualified contractor in the field concerned, all other work specified herein as being the exclusive work of a plumbing, electrical, mechanical, liquefied petroleum gas, roofing, and pool contractor, including the specialties and categories thereunder. A general contractor may do, contract for, and take out permits for the work of any specialty building contractor as defined herein.

(E) Building contractor is a building contractor whose contracting business consists of the execution of contracts involving two (2) or more trades, and who has the financial means, and has a qualifying agent with the experience, knowledge and skill gained by not less than four (4) years' experience either as a superintendent for a general contractor or a sub-contractor or has been licensed as a sub-building contractor for such period (or has had an education equivalent thereto), or any combination thereof, to construct and properly



supervise, direct and coordinate the constructions of not more than three (3) stories in height. This provision shall not prohibit such building contractor from engaging in nonstructural interior alterations and repairs to buildings of greater height, or from acting as a subcontractor under the supervision or responsibility of a general contractor in the construction of a structure of a greater height. Such building contractor shall sub-contract to a qualified contractor in the field concerned all other work specified herein as being exclusive work of a plumbing, electrical, mechanical, liquefied petroleum gas, roofing, or pool contractor, including the specialties and categories thereunder. A building contractor may construct, contract for, and take out permits for the work of any specialty building contractor within the limits of work of a building contractor as defined herein. Demolition work of such a building contractor shall be limited to the size and scope of buildings or structures which a building contractor is permitted to erect.

(F) Residential contractor is a building contractor whose contracting business consists of the execution of contracts involving two (2) or more trades and who has the financial means and has a qualifying agent with the experience, knowledge and skill gained by not less than three (3) years' experience as a superintendent for a general, and/or a building and/or a residential contractor (or has had an education equivalent thereto), or any combination thereof, to construct and properly supervise, direct and coordinate the construction of buildings and other structures in such a manner as to comply with all plans, specifications, codes, laws and regulations applicable and has satisfactorily passed a residential contractors examination. The scope of work of the residential contractor shall be limited to construction, addition, alteration or repair of non-residential buildings not exceeding fifteen hundred (1,500) square feet in area and one (1) story in height, except that such contractor may construct, add to, or repair single one-family, two-family, or three-family buildings of any area where such building is of simple design with load bearing walls, and does not exceed two (2) stories in height. This provision shall not prohibit such residential contractor from engaging in nonstructural interior alterations and repairs to buildings of greater height, or from acting as a subcontractor under the supervision or responsibility of a general or building contractor in the construction of a structure of a greater height. Such residential contractor shall subcontract to a qualified contractor in the field concerned all other work specified herein as being the exclusive work of a plumbing, electrical, mechanical, liquefied petroleum gas, roofing, or, pool contractor, including the specialties and categories thereunder. A residential building contractor may do, contract for, and take out permits for the work of a any specialty contractor as defined herein. Demolition work of such a contractor shall be limited to the size and scope of buildings or structures which a residential contractor is permitted to erect.

(G) A general, building, or residential contractor shall subcontract all electrical, mechanical, plumbing, roofing, sheet metal, swimming pool, and air-conditioning work, unless such contractor holds a state certificate or registration in the respective trade category, however:

(1) A general, building, or residential contractor, except as otherwise provided in this chapter, shall be responsible for any construction or alteration of a structural component of a building or structure, and any certified or registered

general contractor may perform clearing and grubbing, grading, excavation, and other site work for any construction project. Any certified or registered building contractor or residential contractor may perform clearing and grubbing, grading, excavation, and other site work for any construction project in this state, limited to the lot on which any specific building is located.

(2) A general, building, or residential contractor shall not be required to subcontract the installation, or repair made under warranty, of wood shingles, wood shakes, or asphalt or fiberglass shingle roofing materials on a new building of his or her own construction.

(3) Only a general contractor shall not be required to subcontract structural swimming pool work.

(4) Only a general contractor, on new site development work, site redevelopment work, mobile home parks, and commercial properties, shall not be required to subcontract the construction of the main sanitary sewer collection system, the storm collection system, and the water distribution system, not including the continuation of utility lines from the mains to the buildings.

(5) Only a general contractor shall not be required to subcontract the continuation of utility lines from the mains in mobile home parks, and such continuations are to be considered a part of the main sewer collection and main water distribution systems. <<

(([[D]]>>H<<)) *Specialty building contractor* is a building contractor who specializes in one (1) or more of the following building crafts and whose scope of work is so limited under the certificate of competency held, and whose principal contracting business is the execution of contracts, usually subcontracts, in such a manner as to comply with all plans, specifications, codes, laws and regulations applicable, and has satisfactorily passed an examination for the specialty concerned, and who has the financial means and has a qualifying agent with the experience, knowledge and skill as evidenced by three (3) years' experience as a mechanic, or supervisory or managerial experience or education equivalent thereto, or any combination thereof, in the particular building specialty concerned, except as such three (3) year period may be modified in the particular categories listed hereinafter. Such contractor shall subcontract with a qualified contractor any work which is incidental to the work of the specialty but which is specified herein as being the work of other than that of the building specialty for which certified. The following are the various crafts of specialty building contractors.

\* \* \*

(5)[~~A communications tower contractor is a contractor qualified and certified to fabricate and erect steel communications towers and do the welding, bolting and~~

~~riveting in connection therewith.]] >>A waterproofing contractor is a contractor, qualified by two (2) years experience, who has passed a written examination, is qualified and certified to clean, sandblast, caulk, and prepare the surface to install, repair and replace waterproofing systems, including the incidental use of sheet metal and various other components in connection therewith to stop the passage of water by applied protective material, membrane, surfacing, or sealant, excluding on grade asphalt surfaces. In no way is this to be interpreted as limiting, denying, or excluding general, building, residential and roofing contractors in the performance of this craft.<<~~

\* \* \*

(9) A *roofing contractor* is a contractor qualified and certified to install, repair and replace roof systems, as defined in the ~~[[South Florida]]~~ Building Code, and the waterproofing thereof. Work may include, but shall not be limited to, roof deck insulation, roof coating, painting and covering, including use of sheet metal and installation of other sheet metal products incidental to roofing work, including gutters and downspouts, and other material in connection therewith or any combination thereof and including installation of nonstructural decking and siding. During the repair or replacement process of a roof system, a roofing contractor shall be allowed to repair and/or replace damaged decking and/or damaged wood structural or nonstructural members of the roof framing, provided that such replacement and/or repair conforms to the requirements of the ~~[[South]]~~ Florida Building Code and the repair or replacement of damaged decking and wood structural or nonstructural members of the roof framing constitutes less than fifty (50) percent of the value of the total work performed.

\* \* \*

(12) A *drywall contractor* is a contractor qualified and certified to install gypsum drywall products to studs, joists and suspended ceiling channels and to fabricate and install ~~[[metal]]~~ accessories and all necessary trim in connection therewith including metal >>and wood<< studs, runners, hangers, channels, drywall metal suspension accessories and prefabricated ceiling materials, provided that any plaster work or trowelled material, application of block ~~[[or wood]]~~ partitions shall not be a part of the scope of such work. The experience requirement for the qualifying agent for a drywall contractor shall be one (1) year and six (6) months.

\* \* \*

(15) A *swimming pool contractor* is a contractor>>, qualified and certified on or before the effective date of this ordinance,<< whose scope of work involves two (2) or more building trades or crafts and is qualified and certified to excavate, construct, fabricate, install and equip swimming pools and such contractor shall subcontract to a qualified contractor, in the field concerned, all other work set forth in this chapter

as being the exclusive work of a plumbing, electrical, mechanical or liquefied petroleum gas contractor. >>No further certificates shall be issued for the swimming pool contractor category after the effective date of this ordinance. Swimming pool contractors that pass a swimming pool piping test may obtain a swimming pool and piping contractor license as set forth in Section 10-2(H)(15.1).

(15.1) A swimming pool and piping contractor is a contractor whose scope of work involves two (2) or more building trades or crafts and is qualified and certified to excavate, construct, fabricate, install and equip swimming pools including installation of all perimeter and filter piping, except direct connection to a sanitary sewer system or to potable water lines. Such contractor shall subcontract to a qualified contractor, in the field concerned, all other work set forth in this chapter as being the exclusive work of a plumbing, electrical, mechanical or liquefied petroleum gas contractor.<<

(16) A *demolition contractor* is a contractor qualified and certified to demolish, wreck or disassemble buildings or other structures or parts thereof and remove the debris there from in such a manner that adjoining structures and properties and parts thereof and workmen and other persons may be kept safe.

~~[(17) A *welding inspector* is a person qualified by three (3) years' experience, has passed written examination and is certified to inspect welds as provided under the South Florida Building Code and more specifically under the American Welding Society "Standard Code for Arc and Gas Welding in Building Construction 1950," as amended. Application shall be made to the Construction Trades Qualifying Board, Division "A," for examination for welding inspector on forms as required, the fee for which shall be the same as for examination for contractor's certificate of competency. Misrepresentation of any material fact in application for examination or inspection reports shall be grounds for suspension or revocation of a welding inspector's certificate of competency. The procedure for disciplinary action shall be as hereinafter outlined for contractors, wherever such procedure is applicable.]]~~

~~[(18)]~~ >>(17)<< A *concrete slab sawing and core-drilling contractor* is a contractor qualified and certified to cut and/or core concrete, asphalt or any masonry combination thereof. Where cutting or coring is done on any structural member of any building or structure, it shall be under the direct supervision of the general or prime contractor and professional engineer who is responsible for that building or structure. All cutting or coring is to be approved by and coordinated between the general or prime contractor and the specialty or subcontractor as to the layout of the work to be performed. Such contractor shall have a qualifying agent with experience and skill gained by at least one (1) year's practical work in this field and who has passed a designated examination.

[[~~(19)~~]] >>(18)<< A *fence contractor* is a contractor qualified and certified to fabricate, assemble, erect and install fences of masonry, wire, concrete, wood and other fence materials, in such manner that an acceptable fence can be erected complying with applicable regulations including zoning regulations. Such contractor shall have a qualifying agent with experience and skill gained by at least one (1) year's practical working this field and who has passed a designated examination.

[[~~(20)~~]] >>(19)<< A metal awning and storm shutter contractor is qualified and certified to fabricate, erect and install awnings or canopies of metal including other materials, incidental thereto, in or on buildings or other structures, and which may be, in whole or part, supported from a building wall erected and provided by others, or may be self-supporting, and including footings or slabs on grade in connection therewith. Such contractor shall have a qualifying agent with experience and skill gained by at least one (1) year's practical work in this field and who has passed a designated examination.

[[~~(21)~~]] >>(20)<< A screen enclosure contractor is qualified and certified to fabricate, erect and install on grade only, screen enclosures with metal-supporting members, in whole or in part self-supporting, having walls and roof of screen except that the roof may be of metal or plastic where the area of solid wind resistant material does not exceed forty (40) percent of the area of screen roof. The scope of work shall include footings or slab on grade in connection therewith. Such contractor shall have a qualifying agent with experience and skill gained by at least one (1) year's practical work in this field and who has passed a designated examination.

[[~~(22)~~]] >>(21)<< A window frame contractor is qualified and certified to construct forms and formwork for window frames into which concrete is to be placed. Such contractor shall have a qualifying agent with experience and skill gained by at least one (1) year's practical work in this field and who has passed a designated examination.

\* \* \*

[[~~(23)~~]] >>(22)<< A *utility building contractor* is a contractor qualified and certified to erect and install >>uninhabitable<< prefabricated buildings made of metal, wood or other approved material on an approved foundation or base. The forming, mixing, constructing and/or placing of the concrete slab, base, anchor or foundation is a part of the scope of work of such contractor. Such contractor shall have a qualifying agent with experience and skill gained by at least three (3) years of practical work in this field and who has passed a designated examination.

>>I *Non-examination specialty building contractor* is a building contractor who specializes in one (1) or more of the following building crafts established by the Board to not require technical knowledge in the subject craft so as to require either written or oral examination to determine proficiency as allowed in Section 10-9 (c) and whose scope of

work is so limited under the certificate of competency held, and whose principal contracting business is the execution of contracts, usually subcontracts, in such a manner as to comply with all plans, specifications, codes, laws and regulations applicable, and who has the financial means and has a qualifying agent with the experience, knowledge and skill as evidenced by two (2) years' experience as a mechanic, or supervisory or managerial experience or education equivalent thereto, or any combination thereof, in the building specialty, except as such two (2) year period may be modified in the particular categories listed hereinafter. Such contractor shall subcontract with a qualified contractor any work which is incidental to the work of the specialty but which is specified herein as being the work of other than that of the building specialty for which certified. The following are the various crafts of non- examination specialty building contractors.

(1) A concrete finishing contractor is qualified and certified to screed, trowel, score and otherwise provide surface treatment to concrete placed by others whether or not such concrete is fresh or hardened. Application of surface treatment material is included in this scope of work but not tile, plaster or stucco. Experience requirement as a prerequisite to issuance of certificate shall be two (2) years.

(2) A décor block contractor is qualified and certified to lay block in openings provided by others between structural columns or in frames provided by others. The scope of work shall also include the erection of columns and caps for fences or walls not exceeding five (5) feet in height and balcony railings or stair railings not exceeding four (4) feet in height above the surface adjacent thereto on at least one side. Where décor blocks are attached to the exterior of a wall as a veneer, this work shall be that of a unit masonry wall and exterior veneer contractor. Experience requirement as a pre-requisite to issuance of certificate shall be one (1) year.

(3) A sheet metal and downspout contractor is qualified and certified to fabricate, erect and repair sheet metal, copper, vinyl, plastic or other material used for the sole purpose for gutters and downspouts. Experience requirement as a prerequisite to issuance of certificate shall be one (1) year.

(4) A door contractor is qualified and certified to fabricate and install swinging or sliding doors of wood or metal or material other than glass not exceeding seven (7) feet in height and not exceeding six feet (6) in width, except where the glass area therein does not exceed fifty percent (50%) of the area of the door and where such door is installed in openings in building walls erected and provided by others, provided however, that glass or sliding doors shall not be a part of the scope of such work. Experience requirement as a prerequisite to issuance of certificate shall be one (1) year.

(5) A garage and industrial door contractor is qualified and certified to fabricate and install swinging, sliding or overhead doors of unlimited dimension and of any material and where such door is installed in openings in building walls or attached to

a building erected and provided by others. The scope of this category shall include the installation of incidental hardware such as, but not limited to locks, fusion linkage, springs, gears or motor operation except that electric work shall be subcontracted to a qualified and certified electrical contractor, provided however, that the installation of glass or sliding glass doors shall not be a part of the scope of such work. Experience requirement as a prerequisite to issuance of certificate shall be one (1) year.

(6) A shower and tub enclosure contractor is qualified and certified to fabricate and install glass, plastic or metal enclosures around interior showers and tubs, provide miscellaneous hardware therefore between walls erected or provided by others and install wall mirrors. Experience requirement as a prerequisite to issuance of certificate shall be one (1) year

(7) A gypsum drywall installer contractor is qualified and certified to install gypsum drywall products to studs, joists and suspended ceiling channels, provided that any installation of studs, joists and suspended ceiling channels and the installation of tape joints and finishes shall not be a part of such work. Experience requirement as a prerequisite to issuance of certificate shall be two (2) years.

(8) A gypsum drywall finish contractor is qualified and certified to install tape joints, joint compounds and finish coatings to gypsum drywall surfaces provided that any installation of gypsum drywall shall not be part of such work. Experience requirement as a prerequisite to issuance of certificate shall be two (2) years.

(9) A painting contractor is qualified and certified to clean, size and perform minor caulking in preparation for painting, paint, apply any letters, illustrations, characters or ornamentation, paper and related liquid or viscous products thereon by brush, rollers or spray method in such manner that under an agreed specification satisfactory painting and paperhanging can be accomplished. This category shall include cleaning roofs of fungus, dirt and paint by steam or chemicals and to apply paint or other decorative coatings to roof surfaces (usually tile) and shall include the replacement of broken tile not exceeding that of five percent (5%) of the roof surface; and parking lot stripping denoting parking stalls or traffic directions. Experience requirement as a prerequisite to issuance shall be one (1) year.

(10) An insulation and acoustic tile contractor is qualified and certified to fabricate, install and apply thermal or acoustic material to walls, floors, ceilings or within such walls, floors or ceilings, by mechanical or adhesive methods to supporting members provided by others in such manner that under an agreed specification satisfactory insulation can be accomplished. The scope of work shall also include the installation of metal channels, hangers or suspension systems for the supporting of acoustic, thermal acoustic tile or drop in units, provided however, the

insulation of pipes, vessels or ducts or built up refrigeration boxes or rooms as may be under the category of a Mechanical Insulation Contractor or the application over the top of a roof deck where such insulation is attached by adhesion shall not be a part of this scope of work. Experience requirement as a prerequisite to issuance of certificate shall be two (2) years.

(11) A canvas awning contractor is qualified and certified to fabricate, erect and install metal-framed canvas covered awnings or canopies, in or on buildings or other structures, and which may be, in whole or in part supported on a building wall erected and provided by others, or may be self-supporting, and including the miscellaneous hardware for ready extension or extraction of such awnings and including footings in connection therewith. The scope of work in this category shall also include the erection and removal of canvas tents. Experience requirement as a prerequisite to issuance of certificate shall be one (1) year.

(12) A store fixtures and cabinets contractor is qualified and certified to fabricate and erect cabinets, store fixtures and similar prefabricated or on-site fabricated enclosures of wood or plastic, of a non-structural nature. Contractor is also permitted to apply paneling to the interior of a structure. The paneling may be of wood or synthetic products or a combination of both. The contractor may set interior door jambs, hang interior wood doors, and apply miscellaneous molding to a structure. The experience requirement as a prerequisite to issuance of a certificate shall be two (2) years.

(13) A partitions contractor is qualified and certified to fabricate, erect and install non-bearing interior and exterior (usually prefabricated) partitions of metal and wood or having panels of other materials and which partitions are attached in openings or to building components erected and provided by others. The scope of work of this category shall include metal or wood studs and runners (site fabricated), provided, however, lathing, plastering or wood or other panel materials or surfacing applied after the frame is in place shall not be a part of such scope of work. Experience requirement as a prerequisite to issuance of certificate shall be one (1) year.

(14) A flagpole contractor is qualified and certified to fabricate, erect and install metal flagpoles, self supporting or from buildings or other structures, and the hardware incidental thereto. Experience requirement as a prerequisite to issuance of certificate shall be one (1) year.

(15) An ornamental metals iron contractor is qualified and certified to fabricate, erect and install ornamental metal iron non-structural members or assemblies, excluding structural railings and panels, and sunshades. Work under this category shall be limited to single family or duplex structures. Experience requirement as a prerequisite to issuance of certificate shall be two (2) years.



(16) A public seating contractor is qualified and certified to fabricate, erect and install prefabricated or precut public seating, with or without backs, fixed or movable, including the supporting framework above a level deck, of metal or other materials incidental thereto, including hardware and site painting and finishing. Height of seating shall not exceed eight feet above the level deck. Experience requirement as a prerequisite to issuance of certificate shall be three (3) years.

(17) A flooring contractor is qualified and certified to fabricate and apply floor surfacing materials of concrete, clay ceramic, asphalt, vinyl, or cork tile, linoleum and seamless products (both liquid and sheet), parquet wood, wood strip flooring or similar wearing surfaces, prefabricated or cast-in-place or any other material to include interlocking paver systems, however, floor decks constructed and provided by others shall not be a part of such scope of work. The scope of work shall be limited to private property and shall not include work on driveways, sidewalks, or approaches. The scope of work also includes the installation, maintenance and repair consisting of but not limited to cleaning, sanding, finishing, waxing, repairing, and painting of terrazzo, wood, or marble surfaces on floors and baseboards, tile veneer not exceeding three-fourths inch (3/4") in thickness to the exterior of buildings and to a height not exceeding six feet (6') above grade. Experience requirement as a prerequisite to issuance of certificate shall be two (2) years.

(18) A thatch roof contractor is qualified and certified to erect, fabricate, install, repair and replace thatch roof systems. The work may include but shall not be limited to foundation, wood post and beam erection and thatch roof installation. However electrical, plumbing or mechanical work is not included. Any person who applies for certification as a thatch roof contractor shall demonstrate proof of having been instrumental in the erection or installation of the thatch roofing system for a period of not less than twenty-four (24) months preceding the date of the application for certification.

(19) A tennis court surfacing contractor is a contractor who has a qualifying agent with the experience and skill gained by not less than one (1) year in the field, and qualified and certified to construct a playing surface for tennis courts on a previously prepared base. The scope of work of this classification is limited to the playing surface, and any necessary striping. It does not include preparation of the base on which the surface is to be laid.

(20) A property management and maintenance contractor is qualified by three (3) years experience, and is certified to erect and repair non-bearing interior partitions, repair sash, windows, walls and frames, repair floors, doors and locks, caulk and paint interior and exterior, patch plaster and stucco, repair stairs and steps, not exceeding one-story above grade, provided however, that the scope shall not include plumbing, electrical, roofing or mechanical work of any kind. The work of a Property Management and Maintenance Contractor shall be limited to only that property for which he holds management contracts.

(21) A handyperson contractor is qualified by three (3) years experience, and is certified to erect and repair non-bearing interior partitions, repair sash, windows, walls and frames, repair floors, doors and locks, caulk and paint interior and exterior, patch plaster and stucco, repair stairs and steps, not exceeding one-story above grade, provided however, that the scope shall not include roofing, plumbing, electrical, or mechanical work of any kind. The total amount of contract within this scope of work shall not exceed \$2,500.

(22) Residential stucco and plastering contractor is qualified and certified to apply surface coatings with a mixture of sand and or other aggregate, gypsum, plaster, Portland cement or quick lime and water and/or any combination of such materials as to create a permanent surface coating and which coatings are usually applied with a plasterer's trowel or by pressure, to which such coatings will adhere by suction and/or bonding agents. The scope of work will be limited to single family or two family dwellings not exceeding one-story in height. Experience requirement as a prerequisite to issuance of certificate shall be two (2) years.<<

[[E]]>>J<<) *Building maintenanceman* is a person qualified and certified by examination to maintain buildings and structures owned or occupied by the person, firm or corporation by which the building maintenanceman is regularly employed. The work of a building maintenanceman shall be confined to the erection, repair or relocation of nonbearing interior partitions, painting, the patching of stucco and plaster, the repair of floors of all types, the repair of cabinets and counters of wood, metal or plastic, the repair of awnings and canopies, the repair of wall and floor tile. A building maintenanceman may make only repairs to bearing walls, both interior and exterior. A building maintenanceman shall not make addition to or change the outline of any building or structure, and the work of a building maintenance man shall not include plumbing, electrical, mechanical or liquefied petroleum gas work of any kind. >>A certified general, building, or residential << sub-building, sub-general or general qualifying agent shall automatically qualify as a building maintenance man.

#### IV. ENGINEERING CONTRACTOR

The scope of work of an engineering contractor shall be as defined in the various engineering contractor classifications listed herein.

(A) *General engineering contractor* is an engineering contractor whose contracting business consists of the execution of contracts involving two (2) or more trades and who has the financial means, and who has a qualifying agent with the art, ability, experience, knowledge, science and skill gained by not less than ~~[[ten-(10)]]~~ >>four (4)<< years' experience either as a superintendent for a general engineering contractor or as a licensed building or engineering contractor for such period (or has had an education equivalent thereto) or any combination thereof, to construct and properly supervise, direct and coordinate work in the engineering trade in such a manner as to comply with all plans, specifications, codes, laws and regulations applicable, and who has satisfactorily passed a general engineering contractor's examination. The scope of work of the general

engineering contractor shall be unlimited in the engineering trade field, except that his work in connection with utilities shall be considered to stop at a point five (5) feet from a building not specifically constructed for the purpose of pumping or processing pipeline products. Such contractor shall subcontract to a qualified contractor in the field concerned, all other work specified herein as being the exclusive work of a plumbing, electrical, mechanical or liquefied petroleum gas contractor, including the specialties and categories thereunder~~[[, except that of welding inspector]]~~. A general engineering contractor >>, qualified and certified before the effective date of this ordinance<< may do, contract for, and take out permits for the work of a general building contractor >>or a general contractor. A general engineering contractor, qualified and certified after the effective date of this ordinance, may not perform, contract for or take out permits for the work of a general contractor.<<

- (B) *Specialty engineering contractor* is an engineering contractor who specializes in one (1) or more of the following engineering crafts and whose scope of work is so limited under the certificate of competency held. Such contractor's principal contracting business is the execution of contracts, in some instances subcontracts, and possibly involving two (2) or more trades and who has the financial means, and has a qualifying agent with the experience, knowledge and skill as herein set forth, to engage in the business of the particular engineering specialty concerned, in such a manner as to comply with all plans, specifications, codes, laws and regulations applicable, and who has satisfactorily passed an examination in the engineering specialty concerned. Such contractor shall subcontract with a qualified contractor any work which is incidental to the specialty but which is specified herein as being the work of other than that of the engineering specialty for which certified. The following are the various crafts of specialty engineering contractors.

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- (2) A *pipeline engineering contractor* is an engineering contractor who has a qualifying agent who is qualified by the experience and skill gained by not less than three (3) years as a general superintendent for a general engineering contractor or pipeline engineering contractor or education equivalent thereto, or a combination thereof and certified to >>trench, backfill and restore paving, concrete block and cement work, either incidental to or as part of the work of << excavat[[e]] >>ing<<, construct[[e]]>>ing<<, install>>ing<<, repair>>ing<< or alter >ing<< pipelines, such as water and gas transmission and distribution lines, storm and sanitary sewerage lines, force mains, outfalls, and pumping facilities incidental to the collection or installation of pipeline products including the equipment and piping installation and placing within a structure which is constructed for the purpose of pumping or processing such pipeline products. A pipeline engineering contractor may construct or install junction boxes, manholes, inlets, valves and similar components, in such a manner as to comply with all plans, specifications, codes, laws and regulations applicable. The work of the pipeline engineering contractor shall be considered to stop at a point five (5) feet from a building not specifically constructed for the purpose of pumping or processing pipeline products. The scope

of work of such a contractor does not include the installation of chilled water lines or related work incidental thereto.

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(7) A *concrete-work engineering contractor* is an engineering contractor who has a qualifying agent with the experience and skill gained by not less than one (1) year as a general superintendent for a building or engineering contractor, or education equivalent thereto, or a combination thereof, and qualified and certified to construct concrete >>and brick pavers<< driveways >>and approaches<<, sidewalks, curbs and gutters and related nonstructural concrete components.

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>>(15) An asphalt sealing (excluding roadway pavements) contractor is an engineering contractor who has a qualifying agent with the experience and skill gained by not less than one (1) year as a general superintendent for an engineering contractor and/or the education equivalent thereto, or a combination thereof, and qualified and certified to seal driveways and parking lots only; if cracks, holes or any repair is needed, it must be done by a certified paving contractor.<<

## V. PLUMBING CONTRACTOR

The scope of work of a plumbing contractor is as defined in the various contractor classifications listed herein.

(A) A *plumbing contractor* is a contractor whose contracting business consists of the execution of contracts requiring the experience, financial means, knowledge and skill to install, maintain, repair, alter or extend plumbing, septic tanks, drainage and supply wells, swimming pool and piping or solar heating systems and all appurtenances, apparatus or equipment used in connection therewith, including boilers and pressure and process piping and including the installation of water, gas, storm and sanitary sewer lines, and for the mechanical installation of gas, water and sewage plants and substations. The scope of work of the plumbing contractors shall also include the installation, maintenance, repair, alteration or extension of air piping, vacuum line piping, oxygen line piping, nitrous oxide piping, fire line standpipes and fire sprinklers >>to the extent allowed by law, up to five (5) sprinkler heads out of potable water lines,<< ink and chemical lines, gasoline piping and tank and pump installation (excepting bulk storage plants) and pneumatic control piping systems, all in such a manner as to comply with all plants, specifications, codes, laws and regulations applicable. Such contractor shall have as qualifying agent a master plumber. The scope of work of the plumbing contractor shall apply to private and public property, shall include any excavation work incidental thereto and shall include the work of the specialty plumbing contractor. Such contractor shall subcontract, with a qualified

contractor in the field concerned, all other work incidental to the work, but which is specified herein as being the work of a trade other than that of a plumbing contractor. The scope of work of such a contractor does not include the installation of chilled water lines or related work incidental thereto.

- (B) A *specialty plumbing contractor* is a contractor who specializes in one (1) or more of the following crafts and whose scope of work is so limited under the certificate of competency held. The specialty plumbing contractor's principal contracting business is the execution of contracts requiring the experience, financial means, knowledge and skill to engage in the business of the particular plumbing specialty concerned in such a manner as to comply with all plans, specifications, codes, laws and regulations applicable and the qualifying for the specialty concerned. Such contractor shall sub-contract with a qualified contractor in the field concerned all other work incidental to the work, but which is specified herein as being the work of a grade other than that of the plumbing specialty for which such specialty plumbing contractor is certified. The following are the various crafts of specialty plumbing contractors.

~~[[ (1) A *septic tank contractor* is a contractor having the financial means, and who has a qualifying agent with experience and skill gained by not less than one (1) year as a general superintendent for a plumbing or septic tank contractor or education equivalent thereto, or combination thereof, and qualified and certified to install, clean, repair, alter, extend and excavate for septic tanks, drainfields, intercepter tanks, dry wells, gas and oil interceptors, soakage pits and catch basins and shall not include any other plumbing work or connecting pipes or pumps except the nonferrous pipes between the catch basin and soakage pit. The septic tank contractor shall maintain in proper and sanitary condition for use, subject to inspection at any time, the following minimum equipment:~~

~~(a) A vehicle equipped with a sewage-tight tank of not less than one thousand (1,000) gallons capacity, equipped with suitable pump and at least eighty (80) feet of three-inch minimum diameter suction hose.~~

~~(b) A ten-thousand (10,000) gallon-per-hour centrifugal pump equipped with two-inch hose.]]~~

(~~>>~~1~~<<~~ ~~[[2]]~~) A *well drilling contractor* is a contractor ~~>>~~, qualified and certified on or before the effective date of this ordinance,~~<<~~ having the financial means, and who has a qualifying agent with experience and skill gained by not less than one (1) year as a general superintendent for a plumbing or well drilling contractor, or education equivalent thereto, or combination thereof, and qualified to drill water supply or drainage wells. A well drilling contractor may install lawn sprinkler systems, and make connection of such lawn sprinkler systems to potable water supply piping but he shall not make a connection to sanitary or storm sewers. A well drilling contractor shall, when engaged in the well drilling business, provide and maintain the necessary equipment in proper and sanitary condition. Well drilling

contractors who obtained their certificates prior to August 1, 1991, are qualified to install, maintain and repair pumps, filters, chlorinators and piping incidental to a private swimming pool; provided, that the work is not subject to the regulation of the State Board of Health. >>No further certificates shall be issued for the well drilling contractor category after the effective date of this ordinance.<<

(>>2<< [[3]]) A *swimming pool piping contractor* is a contractor having the required financial means and having a qualifying agent as provided herein. Such qualifying agent shall have experience and skill gained by not less than one (1) year of experience, or its educational equivalent, or a combination of such experience and education, in installing swimming pool piping under the supervision of a plumbing contractor or a contractor making swimming pool piping installations. Such qualifying agent shall be qualified, examined, and certified to perform the functions within the scope of work of a swimming pool piping contractor as hereinafter provided. The scope of work of a swimming pool piping contractor shall permit such a contractor to install, maintain, repair, alter, or extend swimming pool piping systems including the pumps, filters, pool heaters and chlorinators incidental to swimming pools and involving the means of disposing of pool water. The scope of work in this classification shall not include the making of connections to any water supply to be used for human consumption or to sanitary or storm sewers nor shall the scope of work include the installation of any lawn sprinkler system. The swimming pool piping contractor shall have a qualifying agent at all times. A contractor holding a current, valid certificate of competency as a swimming pool piping contractor on the effective date of this section shall continue to be entitled to such certificate and to do, contract for, and take out any permits which might be required for the work of a swimming pool piping contractor.

(>>3<< [[4]]) A *gas fitting contractor* is a contractor qualified and certified to install, maintain, repair, alter or extend fuel gas piping or appliances, including wall and central heating units, in any building or structure or on any premises, public or private, including liquefied petroleum gas piping and appliances, if such contractor qualified, in addition, under State law. Such contractor shall have as a qualifying agent a master gas-fitter.

(>>4<< [[5]]) (a) *Swimming pool maintenance contractor* ~~[[limited]]~~ >>residential<< is a contractor qualified and certified to do any or all of the following, including, but not limited to, maintaining and treating the water in existing swimming pools, both public and private, making minor repairs to existing pool masonry such as patching cracks in pool bottoms and walls, repainting or resurfacing the walls and bottoms of pools, performing preventive maintenance and replacing existing equipment and appurtenances thereof of swimming pools, such as pumps, valves, filters and chlorinators; provided, such a contractor may only replace existing equipment and appurtenances in private pools of single-family residences.

As an additional prerequisite to qualifying as a swimming pool maintenance contractor, the qualifying agent of the contractor must possess a current swimming pool operators certificate issued by the Miami-Dade County Department of Public Health, and must furnish proof satisfactory that he has been actively engaged as a trainee for a licensed swimming pool maintenance contractor in swimming pool maintenance work for a period of two (2) years immediately prior to application >>or work in the field of swimming pool maintenance contractor for a period of five (5) years and show proof by way of government forms or records, and proof of pool operator certificate issued by Miami-Dade County Department of Health for a period of five (5) years.<< ~~[[All persons or firms holding a current certificate of competency as a swimming pool maintenance contractor as of November 1, 1965, shall be automatically classified as a swimming pool maintenance contractor for renewal purposes.]]~~

(b) *Swimming pool maintenance contractor* (~~[[unlimited]]~~ >>commercial<<) is a contractor qualified and certified to do the work of a swimming pool maintenance contractor (~~[[limited]]~~ >>residential<<) and is covered by the same definition except that the swimming pool maintenance contractor (~~[[unlimited]]~~ >>commercial<<) shall be able to carry on all such work in connection with both private and public pools.

(c) A pool maintenance contractor is not permitted to do any other plumbing, electrical, or mechanical work as covered by the ~~[[South Florida]]~~ Building Code, or to do any of the original construction on installation in a new pool.

(~~>>5~~<<[[6]]) A *lawn sprinkler contractor* is a contractor, having the financial means and who has a qualifying agent with one (1) year experience in the lawn sprinkler trade, and qualified and certified to install, maintain, repair, alter or extend a lawn sprinkling system and appliances and devices used in connection with such systems, except that such systems shall not include the drilling of wells or the connecting of such systems to potable water. Sprinkler and irrigation systems used for agricultural purposes shall not be included within the scope of this subsection.

>>(6) A certified backflow preventer tester is a person who has satisfactorily completed a nationally recognized backflow preventer tester-training program that meets or exceeds any existing Florida Department of Environmental Protection (FDEP) standards or that is determined by Miami-Dade County Construction Trades Qualifying Board to meet the requirements of the latest edition of American Water Works Association (AWWA) M14 Manual. After satisfactorily completing a backflow preventer testing training program, as described above, the person shall be required to pass an examination administered under the direction of

the Miami-Dade County Construction Trades Qualifying Board. All certified testers shall be required to be re-certified by the Board every two years. Backflow preventer testers who are currently certified as of the date of this ordinance will be permitted to test backflow preventers in Miami-Dade County until such time as the Miami-Dade County exam is first administered or until the existing certification expires whichever occurs later, but no later than two (2) years. In no event shall the training institute also serve as an examiner for the Miami-Dade County test. This certification shall allow the tester to test all backflow preventers as required in section 32-152 of the Code of Miami-Dade County. This certification is for testing only and shall prohibit the tester from repairing, replacing or new installation of backflow preventers as described in section 32-152 of the Code of Miami-Dade County.

(7) A certified backflow preventer specialist is a person certified and qualified to do the work of a Certified Backflow Tester and is covered by the same definition except that a Certified Backflow Preventer Specialist shall also be able to repair backflow preventers as specified by definition in section 32-152 of the Code of Miami-Dade County. This certification does not allow the Certified Backflow Preventer Specialist to install or replace backflow preventers as described herein.<<

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>>(D) Non- examination specialty plumbing contractor is a contractor who specializes in one (1) of the following plumbing crafts established by the Board to not need such technical knowledge as to require either written or oral examination in order to determine their proficiency in the craft, as allowed in Section 10-9 (c) of the Code of Miami-Dade County and whose scope of work is so limited under the certificate of competency held, and whose principal contracting business is the execution of contracts, usually subcontracts, in such a manner as to comply with all plans, specifications, codes, laws and regulations applicable, and who has the financial means and has a qualifying agent with the experience, knowledge and skill as evidenced by two (2) years' experience as a mechanic, or supervisory or managerial experience or education equivalent thereto, or any combination thereof, in the particular non-examination plumbing specialty concerned, except as such two (2) year period may be modified in the particular category(ies) listed hereinafter. Such contractor shall subcontract with a qualified contractor any work which is incidental to the work of the specialty but which is specified herein as being the work of other than that of the plumbing specialty for which certified. The following is (are) the various craft(s) of non-examination specialty plumbing contractors.

(1) A portable chemical toilets contractor is a contractor qualified and certified to install temporary and portable chemical toilets in accordance with the applicable provisions of the Florida Department of Health requirements and the Building Code requirements and equipment used to service temporary and portable units shall be



inspected and approved by the Florida Department of Health and the plumbing inspector. Installation of units shall be inspected by the plumbing inspector. <<

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## VII. MECHANICAL CONTRACTOR

The scope of work of a mechanical contractor is as defined in the various contractor classifications listed hereinafter.

(A) A *general mechanical contractor* is a contractor whose contracting business consists of the execution of contracts requiring the experience, financial means, knowledge and skill to perform the following: install, maintain, repair, alter or extend air conditioning, refrigeration, heating, ventilating, boiler and unfired pressure vessel systems, and all appurtenances, apparatus or equipment used in connection therewith; also, piping, duct work, insulation of pipes, vessels and ducts, pressure and process piping, installation of chilled water lines and related work incidental thereto, pneumatic control piping, gasoline tank and pump installations, piping for gasoline tank and pump installations, ~~[[fire sprinkler systems and standpipes,]]~~ air piping, vacuum line piping, oxygen lines, nitrous oxide piping, ink and chemical lines, fuel transmission lines, mechanical sections of sewage disposal and water treatment plants and installing a condensate drain from an air conditioning unit to an existing safe waste or other approved disposal other than a direct connection to a sanitary system, all in such a manner as to comply with all plans, specifications, codes, laws and regulations applicable. Such contractor shall have as qualifying agent a general mechanical master. The scope of work of such contractor shall also include any excavation work incidental thereto, but shall not include any work specified in this chapter as being the work of any other trade or contractor, such as but not limited to liquefied petroleum or natural gas fuel lines within buildings~~[[;]]~~ >>; to replace, disconnect, or reconnect power wiring on the load side of the dedicated existing electrical disconnect switch; to install, disconnect, and reconnect low wiring, <<potable water lines, or connections thereto, sanitary sewer lines, swimming pool piping and filters and electrical work. The scope of the work of such a contractor shall also include the work of a specialty mechanical contractor, except for elevator and transporting assembly installations; and if there is work incidental to such contractor's authorized scope of work to be performed pursuant to contract for which such contractor does not hold a certificate of competency, such work shall be subcontracted to a qualified contractor in the trade concerned.

(B) A *specialty mechanical contractor* is a contractor who specializes in one (1) or more of the following crafts and whose scope of work is so limited under his certificate of competency. Such a contractor shall have as a qualifying agent a specialty mechanical master in the field concerned. Such contractor's business is to consist of the execution of contracts requiring the experience, financial means, knowledge and skill to engage in the business of the particular mechanical specialty concerned, in such a manner as

to comply with all plans, specifications, codes, laws and regulations applicable. The scope of work of any specialty mechanical contractor shall also include any excavation work incidental thereto but shall not include any work specified in this chapter as being work of any other trade or contractor, such as, but not limited to, electrical work, liquefied petroleum, or natural gas fuel lines within buildings, or potable water lines, or connections thereto, and sanitary sewer lines and swimming pool piping and filters. If there is work incidental to such contractor's authorized scope of work to be performed pursuant to contract for which such contractor does not hold a certificate of competency, such work shall be subcontracted to a qualified contractor in the trade concerned. The following are the various crafts of specialty mechanical contractors.

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(3) An *air conditioning contractor (limited)* is a specialty mechanical contractor qualified and certified to install, repair, alter, or extend any system of air conditioning and warm air heating and ventilation in connection therewith, of a size not exceeding ~~[[fifteen (15)]]~~ >>twenty-five (25)<< tons in any type of building providing the total conditioning load in any common area does not exceed ~~[[fifteen (15)]]~~ >>twenty-five (25)<<, including any or all duct systems necessary to make complete an air conditioning system, and including the installation of a condensate drain from such an air conditioning unit to an existing safe waste or other approved disposal other than a direct connection to a sanitary disposal system; provided that boiler and unfired pressure vessels shall not be part of the scope of work.

(4) A *room air conditioning contractor* is a specialty mechanical contractor qualified and certified to install, service and repair any air conditioning unit consisting of and limited to a package unit, completely self-contained, air-cooled, usually called a room unit and not to exceed three (3) tons and attached to electric power only by the method of a plug-in receptacle. This unit, factory wired and supported only by window or wall supports, shall not have any duct work attached or any method of air distribution other than the unit's factory installed grill; provided that installation of any condensate drain or drains to the outside of the unit is not included in this work.

~~[[ (5) A *room air conditioning contractor — Installation only* is a specialty mechanical contractor qualified and certified to install any air conditioning unit consisting of and limited to a package unit, completely self contained, air cooled, usually called a room unit and not to exceed three (3) tons and attached to electric power only by the methods of a plug-in receptacle, to be factory wired, and unit to be supported only by window or wall supports, and not have any duct work attached or any other method made of air distribution other than the unit's factory installed grill; provided that installation of any condensate drain or drains to the outside of the unit is not included within~~

~~this scope of work, and further provided that a room air conditioning contractor installation only shall not service, repair or maintain any room air conditioning unit. The work in this classification may also be done by the general, sub-general, sub-building or electrical contractor and this exception shall be considered to be included in the scope of work as set forth in these respective classifications, but nothing herein shall be construed to waive the requirement for securing a permit before such work is started and the doing of the work in accordance with the South Florida Building Code.]]~~

[[[6]] >>5<<)] A *refrigeration contractor (limited)* is a mechanical contractor, qualified and certified to install, maintain, repair or alter any system of refrigeration not exceeding five (5) horsepower, self-contained or with remote compressor, where such refrigeration system is for the purpose of food preservation and/or processing, other than human-comfort refrigeration systems. The scope of work of a refrigeration contractor (limited) shall be limited to refrigeration systems using Group I refrigerants only.

[[[7]] >>6<<)] A *refrigeration contractor (unlimited)* is a mechanical contractor qualified and certified to install, maintain, repair or alter any system of refrigeration unlimited to tons or horsepower, provided, however, that such refrigeration is intended to be used for the purpose of food and product preservation and/or processing and is not to be used for comfort systems; and further provided that this scope of work does not include ammonia refrigeration systems.

[[[8]] >>7<<)] A *heating contractor* is a specialty mechanical contractor, qualified and certified to install, maintain, repair, alter, add to or change systems of heating, whether by water, steam or hot air furnaces and all appurtenances and duct work used in conjunction therewith.

[[[9]] >>8<<)] A *warm air heating contractor* is a specialty mechanical contractor qualified and certified to install, maintain, repair or alter a system of warm air furnace heating and all appliances and appurtenances in connection therewith, including duct work, vents and flue connections.

[[[10]] >>9<<)] A *steam generating boiler and boiler piping contractor* is a specialty mechanical contractor qualified to install, maintain, repair and service steam boilers and boiler piping, including the boiler auxiliary equipment, controls and steam actuated machinery such as, but not limited to, engines, pumps, prime movers, pressing machinery, and dryer rolls, but excluding comfort heating systems.

[[[11]] >>10<<)] An *ammonia refrigeration contractor* is a specialty mechanical contractor, qualified and certified to install, maintain, repair,

alter or extend any system of refrigeration using ammonia as a refrigerant including all appliances and appurtenances thereto.

[[12]] >>11<< A *sheet metal contractor* is a specialty mechanical contractor qualified and certified to manufacture, assemble, cast, cut, shape, stamp, forge, fabricate, weld, repair, recondition, adjust and install sheet and rolled metal of any kind or combination and all other materials used in lieu thereof, and including all air-veyor systems and air handling systems>>, trash, laundry and rubbish chutes<< regardless of materials used including all equipment and all reinforcements in connection therewith.

[[13]] >>12<< A *pressure and process piping contractor* is a specialty mechanical contractor qualified and certified to install, maintain, repair, alter or extend any systems of piping, tubing, vessels, containers, pumps, apparatus, and appurtenances, in connection with such pressure piping used for circulation, transporting, holding or processing of any gas, vapor, fluid, liquid, semi-liquid or any combination thereof; provided, however, that boilers, boiler piping, as defined by the Boiler and Pressure Vessel Code (1965) of the American Society of Mechanical Engineers, piping used to convey potable water, sanitary sewage, liquefied petroleum, manufactured or natural gas or refrigeration, air conditioning, and comfort heating piping shall not be a part of the scope of such work.

[[14]] >>13<< A *pneumatic control piping contractor* is a specialty mechanical contractor qualified and certified to install, maintain, repair, alter or extend any system used for the purpose of controlling various instruments, valves, damper motors, controllers, and similar paraphernalia through pneumatic lines of size and strength required for the duty performed.

[[15]] >>14<< A *gasoline tank and pump contractor* is a specialty mechanical contractor qualified and certified to install, maintain, repair, alter or extend any system used for storing and dispensing of gasoline, kerosene, diesel oils and similar liquid hydrocarbon fuels or mixtures to be used solely in connection with gasoline filling stations dispensing fuel to mobile vehicles or marine equipment; provided, however, bulk plants shall not be a part of the scope of such work.

[[16]] ~~A gas control installation contractor is a specialty mechanical contractor qualified and certified to install, maintain, repair or extend gas metering, odorizing and gas pressure reduction stations.~~

(17) ~~A fire sprinkler contractor is a specialty mechanical contractor qualified and certified to install, maintain, repair, alter or extend all aboveground and underground piping for fire sprinkler systems, and standpipes installed in conjunction with fire sprinkler systems, including the~~

~~connection to the water service outlet provided solely for fire sprinkler systems. The permit for and inspections of the connection only shall be under the jurisdiction of the plumbing division of the building department. Installation of a fire sprinkler in laundry and waste chutes, or garbage rooms, shall not constitute a system which would permit the installation of standpipes in conjunction therewith.]]~~

(([[18]] >>15<<)) An *insulation contractor* is a specialty mechanical contractor qualified and certified to install, maintain, repair, alter or extend any insulation primarily installed to prevent loss or gain of heat from internal or external sources in pipes, vessels, ducts or in built-up refrigerated boxes or rooms, and such installations to include any protective coating thereof involved with insulation.

(([[19]] >>16<<)) A *mechanical service and maintenance contractor* is a specialty mechanical contractor qualified and certified on or before May 14, 1976, to repair and maintain, without alteration or addition, any system of air conditioning, heating, ventilating, boiler and unfired pressure vessels and apparatus and equipment in connection therewith. Such a contractor shall have as a qualifying agent one (1) who is qualified as a mechanical service and maintenance master in the field or fields of work enumerated herein and can only hold a certificate of competency as such a contractor in such field or fields for which such qualifying agent is approved. Only those contractors holding current, valid certificates of competency as mechanical service and maintenance contractors on or before May 14, 1976, shall be entitled to such certificates. No further mechanical service and maintenance contractor's certificates shall be issued, and mechanical service and maintenance work shall be done, other than as indicated above, by contractors certified and qualified as general mechanical contractors or by specialty mechanical contractors in the field or fields concerned.

~~[[20)] An elevator installation contractor is a specialty mechanical contractor qualified and certified to install, maintain, repair, alter or extend any elevator, dumbwaiter or escalator; provided, however, transporting assemblies, as defined by the South Florida Building Code, shall not be a part of the scope of such work.]]~~

(([[21]] >>17<<)) An *elevator maintenance and service contractor* is a specialty mechanical contractor qualified and certified to maintain and service any elevator, dumbwaiter or escalator; provided, however, transporting assemblies, as defined by the [[South]] Florida Building Code, shall not be a part of the scope of such work.

(([[22]] >>18<<)) A *transporting assembly installation contractor* is a specialty mechanical contractor qualified and certified to install, maintain,

alter and extend ~~[[transporting assembly, as defined by the South Florida Building Code]]~~ >>any permanent or semi-permanent device, manually or power-operated, other than elevators, dumbwaiters or escalators used for transporting materials or persons in any horizontal, inclined or vertical direction, and such assemblies shall include but shall not be confined to the following: amusement devices used to convey persons as a form of amusement; inclined devices, with or without seats; but not considered as escalators; man hoists, stage and orchestra lifts, tiering and piling machines, skip hoists and wharf ramps; belt, bucket, scoop, roller or similarly inclined or vertical freight conveyors; and hoists which are used for handling material during construction of buildings and structures.<<

(~~[[23]]~~ >>19<<) A *transporting assembly maintenance and service contractor* is a specialty mechanical contractor qualified to maintain and service ~~[[transporting assemblies as defined by the South Florida Building Code]]~~ >>any permanent or semi-permanent device, manually or power-operated, other than elevators, dumbwaiters or escalators used for transporting materials or persons in any horizontal, inclined or vertical direction, and such assemblies shall include but shall not be confined to the following: amusement devices used to convey persons as a form of amusement; inclined devices, with or without seats; but not considered as escalators; man hoists, stage and orchestra lifts, tiering and piling machines, skip hoists and wharf ramps; belt, bucket, scoop, roller or similarly inclined or vertical freight conveyors; and hoists which are used for handling material during construction of buildings and structures.<<

\*                      \*                      \*

>>(D) *Non-examination specialty mechanical contractor* is a mechanical contractor who specializes in one (1) of the following building crafts established by the Board to not need such technical knowledge as to require either written or oral examination in order to determine their proficiency in the craft concerned, as allowed in Section 10-9 (c), and whose scope of work is so limited under the certificate of competency held, and whose principal contracting business is the execution of contracts, usually subcontracts, in such a manner as to comply with all plans, specifications, codes, laws and regulations applicable, and who has the financial means and has a qualifying agent with the experience, knowledge and skill as evidenced by two (2) years' experience as a mechanic, or supervisory or managerial experience or education equivalent thereto, or any combination thereof, in the particular non-examination mechanical specialty concerned, except as such two (2) year period may be modified in the particular categories listed hereinafter. Such contractor shall subcontract with a qualified contractor any work which is incidental to the work of the specialty but which is specified herein as being the work of other than that of the mechanical specialty for which certified. The following are the various crafts of non-examination specialty mechanical contractors.

(1) A room air conditioning contractor - Installation only is a specialty mechanical contractor qualified and certified to install any air conditioning unit consisting of and limited to a package unit, completely self-contained, air-cooled, usually called a room unit and not to exceed three (3) tons and attached to electric power only by the methods of a plug-in receptacle, to be factory wired, and unit to be supported only by window or wall supports, and not have any duct work attached or any other method made of air distribution other than the unit's factory installed grill; provided that installation of any condensate drain or drains to the outside of the unit is not included within this scope of work, and further provided that a room air conditioning contractor--installation only shall not service, repair or maintain any room air conditioning unit. The work in this classification may also be done by the general, building, residential or electrical contractor and this exception shall be considered to be included in the scope of work as set forth in these respective classifications, but nothing herein shall be construed to waive the requirement for securing a permit before such work is started and the performing of the work in accordance with the Florida Building Code.

(2) A pneumatic tube conveyor system contractor is a specialty mechanical contractor qualified and certified to install, maintain, repair, alter or extend any pneumatic tube conveyor system used for conveying carriers by vacuum or air pressure methods, including any piping, tubing, pumps, apparatus and appurtenances used in connection with such system. Experience requirement as a prerequisite to issuance of certificate shall be proof of three (3) years.<<

## IX. MASTER

The term *master* shall mean any person to whom this Board has issued a current valid certificate of competency as a master in a trade after having passed a designated examination and having otherwise demonstrated to this Board that he or she possesses the required skill, knowledge and experience to plan, lay out, supervise and do the work in the trade. As a prerequisite to taking the examination, an applicant shall have held for not less than two (2) years this Board's certificate of competency as a journeyman and shall have at least two (2) years of prior field work experience. However, this Board may, in its discretion, accept in lieu of the journeyman certificate, satisfactory proof of (a) at least [~~six (6)]~~ >>four (4)<< years of comprehensive, specialized training, education and field experience associated with the trade or (ii) registration as a professional engineer in the discipline concerned. "Field experience" is defined as experience gained at actual construction sites where the full spectrum of practical situations and problems arising in the trade are found; drafting, estimating, designing, other office work or maintenance or service installations do not satisfy the requirement.

In the plumbing, electrical and mechanical trades a contractor must be qualified by a master.

Masters are required to earn continuing education credit during each term the personal certificate of competency is valid as established in this chapter and as required by the Board through written rules or regulations commencing October 1, 1995.

#### X. JOURNEYMAN

The term *journeyman* shall mean any person who possesses the required skill, knowledge and experience, as evidenced by ~~[[three (3)]]~~ >>two (2)<< years' proven experience in the trade or craft, or education equivalent thereto, or a combination thereof, but not more than one-half (1/2) of such experience may be education equivalent, and who has passed an examination in his or her particular trade or craft and possesses a valid certificate of competency as a journeyman in such trade or craft. There shall be at least one (1) journeyman for every three (3) trainees on each construction or installation job site for which a permit is required, and which involves a trade in which journeyman are required and certified. It shall be the responsibility of the employing contractor, and the qualifying agent, to provide journeymen on each job site in accordance with this section, and failure to do so shall be a violation of this chapter, subject to the penalties provided herein, and provided under Section 1-5 of this Code. In addition, any work in the trade concerned on any such job site wherein journeymen are not provided in accordance with this section shall be stopped by the enforcing agency or administrative agency concerned until journeymen are so provided. Further, any person working at a trade which requires journeymen on the job site where no journeyman or master in the trade concerned is present shall be in violation of this chapter and subject to the penalties provided herein, and provided under Section 1-5 of this Code. A journeyman may only work in the employ of a contractor holding a certificate of competency in the field in which the journeyman is certified. Journeymen shall be required in the electrical, plumbing and mechanical trades.

Journeymen are required to earn continuing education credit during each term the personal certificate of competency is valid as established in this chapter and as required by the board through written rules or regulations commencing October 1, 1995.

\* \* \*

#### **Sec. 10-3. Certificate of competency required to do business.**

\* \* \*

(c) The only construction-related activities that persons holding certificates of competency or eligibility as contractors as a result of action by an agency other than the Board or the State of Florida as specified above may perform as contractors is disaster repair work in Miami-Dade County. Those persons are required to register with the Board in order to contract to perform disaster repair work in Miami-Dade County. Disaster repair work is non-structural work required to repair structures and systems destroyed by natural causes, provided the area is declared a National Disaster Area and the repair costs do not



exceed more than fifty (50) percent of the value of the structure or system which was damaged. Applicants for such registration shall pass an examination of the ~~[[South Florida]]~~ Building Code. Other than payment of the processing fee provided herein and meeting the competency standards administratively imposed by the Director of the Building Code Compliance Office, including the designation of a resident agent for service of process and proof of Florida Workers Compensation insurance there shall be no additional prerequisites for an applicant taking such examination. An applicant shall only be entitled to sit for one (1) examination. Failure to pass such examination shall result in denial of the registration. The registration shall be valid for six (6) months from the date the area is declared a National Disaster Area. The Building Code Compliance Office shall collect a fee as established by separate administrative order to cover the cost of processing the application for registration as well as documentation from the agency from which the person received certification.

\* \* \*

>>(d) Any unlicensed person who violates any of the provisions in Section 10-3 commits a misdemeanor of the first degree, punishable as provided in sections 775.085 or 775.083 of the Florida Statutes.<<

**Sec. 10-4. Persons without certificates representing selves as contractors; identification of vehicles.**

(a) Any person, firm or corporation not possessing a current certificate of competency >>, as described in subsection 10-3(a),<< and advertising in any newspaper, airwave transmission, phone directory or other advertising media or who issues any card, advertising or device indicating to the public that he is a contractor, or is qualified to engage in the business as a contractor, or who holds himself out as a contractor as plaintiff or defendant in any court of this State, is in violation of, and shall be subject to the provisions and penalties of, this chapter; and a certified copy of such court record or a copy of such newspaper, telephone directory, or other advertising making such assertion shall be prima facie evidence in court, or in any other proceeding authorized by this chapter, that the person is purported to have the capacity to act as a contractor.

\* \* \*

>>(d) Any unlicensed person who violates any of the provisions in subsection 10-4(a) commits a misdemeanor of the first degree, punishable as provided in sections 775.082 or 775.083 of the Florida Statutes.<<

\* \* \*

**Sec. 10-5. Qualifications for obtaining permits.**

(a) Applications for permits will be accepted only from contractors holding a current certificate of competency and license >>as described in subsection 10-3(a)<< ~~[[in their respective fields]]~~ and against whom no revocation or suspension is pending; or fines and fees imposed by the Board or a division thereof, a hearing officer under Chapter 8CC of this Code, or a Civil or Criminal Court Judge relating to his work as a contractor remain unpaid, except as follows:

(1) The owner or lessee or tenant of a property may make application for permit and supervise and do the work in connection with the erection of a new one-story building, other than a single-family or duplex residence, not exceeding five hundred (500) square feet in area, or a first-story addition not exceeding five hundred (500) square feet in area, or make maintenance repairs and nonstructural alterations to any building owned, leased or occupied by the applicant, provided the cost of repairs does not exceed five thousand dollars (\$5,000.00). He shall obtain all required permits for such work, and as a prerequisite to obtaining permits, he shall satisfy the Building Official that he has the ability and knowledge of the ~~[[South Florida]]~~ Building Code to do such work in the trades involved.

(2) A sole owner may make application for permit, supervise and do the work in connection with the construction, maintenance, repair, alteration and addition to a single-family or duplex residence for his own use and occupancy and not intended for sale. He shall obtain all required permits for such work, and as a prerequisite to obtaining permits, he shall satisfy the Building Official that he has the ability and knowledge of the ~~[[South Florida]]~~ Building Code to do such work in the trades involved.

A sole owner, may in addition, personally install, repair, alter, or add to the plumbing, electrical, mechanical and gas systems in his own single-family or duplex residence for his own use and occupancy and not intended for sale. He shall obtain all required permits for such work, and as a prerequisite to the obtaining of permits, he shall satisfy the Building Official that he has the ability and knowledge of the ~~[[South Florida]]~~ Building Code to do such work in that trade. Such installation shall be made by the owner for himself and on his own premises, without compensation from others, and he shall not employ anyone to assist with such installations.

(3) In connection with paragraph (2) above, no more than one (1) permit shall be issued to an owner for the construction of a new single-family or duplex residence in any twenty-four-month period, and permits for alterations and additions, or plumbing, electrical, mechanical or gas installations shall be issued only in connection with one (1) single-family or duplex residence in any twenty-four-month period, although more than one (1) permit may be issued for such work on the same single-family or duplex residence during that period.

(4) The Building Officials, as defined in the ~~[[South Florida]]~~ Building Code, may require proof that the applicant is the owner of the property upon or in which construction or installation is to take place, and nothing herein is to be construed to invalidate the requirement for applying for and obtaining permits, paying fees, calling for required inspections, and complying with all plans, specifications, codes, laws and regulations applicable.

\* \* \*

(7) A sole owner may make application for permit in connection with the maintenance or repair to a single family or duplex residence for his own use and occupancy and not intended for sale at the time of application for said permit without satisfying the Building Official that he has the ability and knowledge of the ~~[[South Florida]]~~ Building Code to do such work in the trades involved provided:

\* \* \*

(b) The work to be performed is supervised by a contractor having a current valid certificate of competency from either the State of Florida or the Miami-Dade Construction Trades Qualifying Board in the trade concerned and against whom no disciplinary action is pending. As a condition of obtaining a building permit, an affidavit, reasonably satisfactory to the Building Official, shall be submitted to the Building Official with the permit application, and executed by the non-profit corporation, fund or foundation, the supervising contractor and the owner of the structure to be repaired which identifies the structure and location of the property and which states that the services are being performed without remuneration or consideration.

The Building Official may limit the number of permits issued to property owners under paragraph 7 to insure that the work being performed through any non-profit corporation, fund or foundation is completed on a timely basis. In addition, a Building Official may deny a permit to any owner due to a sponsoring non-profit corporation, fund or foundation having failed in the past to provide continuous supervision by a contractor, correct violations of the ~~[[South Florida]]~~ Building Code or obtain mandatory inspections.

\* \* \*

#### **Sec. 10-6.1. Building and engineering qualifying agents certificates.**

Anyone desiring to obtain a certificate of eligibility as a qualifying agent in any of the building and engineering categories in addition to other prerequisites provided for in this chapter shall take and pass the applicable examination ~~[[, if examination is required for the particular building or engineering category]].~~

\* \* \*

**Sec. 10-7. Masters, installers, ~~[[welding inspectors,]]~~ journeymen and maintenance personnel certificates.**

A certificate of competency for meters, installers, ~~[[welding inspectors,]]~~ journeymen and maintenance personnel shall be obtained in the following manner:

- (a) Application. All applicants shall make application on a form which includes the information described in Section 10-6(B)(1)--(8) above and as prescribed by the Board. The application shall be retained by the County together with all supporting papers.
- (b) Fee. A fee established by separate administrative order shall be paid for the examination for journeymen and maintenance personnel, and for masters~~[[,]]~~ >>and<< installers~~[[and welding inspectors]]~~.

\* \* \*

**Sec. 10-8. Examination--Conduct of and general standards.**

\* \* \*

- (c) The examination shall be made with reference to knowledge of such portions of the ~~[[South Florida]]~~ Building Code or other rules, laws or principles as may be relevant to the trade or specialty involved.

\* \* \*

**Sec. 10-15. Procedure for imposition of discipline; review of adverse decision; payment of fines; recovery of unpaid fines; unpaid fines to constitute a lien; foreclosure.**

\* \* \*

- (b) The probable cause panel shall decide whether the report or complaint establishes that probable cause exists to support a finding that a violation of this chapter or the rules promulgated thereunder has been committed and if so, shall take one (1) or more of the following actions:

\* \* \*

- (2) Instruct the Secretary or his designee to send a letter to the certificate of competency holder or holders and the qualifying agent or agents or to the certificate of eligibility holder or holders, setting out the name of the complainant; the alleged

offense and the approximate time of the commission; the Section(s) of this chapter alleged to be violated; notifying them to appear before either division of the Board or disciplinary action panel of the Board at a time and place fixed, not sooner than twenty (20) days from the date of service of the letter; to show cause why their certificate should not be suspended or revoked, a letter of reprimand issued, or why a fine and costs should not be imposed; advising that they may be represented by an attorney, that they should bring all original documents and other data that may be pertinent to the case and that they will be given an opportunity to present such witnesses and evidence they deem appropriate. Service ~~[[in Miami-Dade County]]~~ shall be made ~~[[by delivering the letter to the certificate of competency holder or holders and the qualifying agent or agents or their representatives at their last known address as shown by the Board's records, or by leaving the letter at the certificate of competency holder's and the qualifying agent's usual place of abode with any person residing therein who is fifteen (15) years of age or older and informing that person of its contents. If such service cannot be made or the certificate of competency holder, qualifying agent or their representatives reside or are located outside of Miami-Dade County, the letter may be sent]]~~ by certified mail, return receipt requested, to the last known business address as shown by the Board's records~~[[or by posting of the letter on these same premises]]~~.

\* \* \*

(g) A decision shall be made at the close of the hearing. The division or disciplinary action panel shall make a finding of guilty or not guilty as to each charge. >>The decision shall become effective on the date that the Secretary of the Board signs the Order.<< The division or disciplinary action panel shall impose one (1) or more of the following penalties on each charge for which a finding of guilty is made:

\* \* \*

(6) Notwithstanding any other provision of this chapter, a violation of Section ~~[[301]]~~ >>104<< of the ~~[[South]]~~ Florida Building Code shall result in an administrative fine of five hundred dollars (\$500.00).

>>(7) Reconsideration of the division or disciplinary action panel shall not be allowed after the adjournment of the meeting.<<

\* \* \*

#### **Sec. 10-15.1. Settlement >>and consent<< agreements.**

>>(a)<< At any time prior to the close of the hearing provided for in Section 10-15, the Director of the Miami-Dade County Building Code Compliance Office and the Director of Miami-Dade County Public Works Department or their designees may negotiate a settlement agreement with any person charged with a violation under this chapter. Such settlement shall

be presented to the division, and if approved by a majority of the division members shall be in lieu of any other discipline on the pending charges.

>>(b) The Director of the Miami-Dade County Building Code Compliance Office or the Director of the Miami-Dade County Public Works Department or their designees may, in the discretion of the Director or designee, terminate an investigation or an action commenced under the provisions of this chapter upon execution of a written consent agreement between the Director or his designee and the persons who are the subject of the investigation or action. The consent agreement must also be executed by the Building Official if violations of the Florida Building Code were committed by the contractor. The consent agreement shall provide written assurance of voluntary compliance with all the applicable provisions of this chapter and the Florida Building Code by such persons. The consent agreement may in addition provide for the following: mitigation of injuries accruing on account of the violation investigated or sued upon; restitution to victims; restriction, suspension or reinstatement of permitting privileges; cancellation or withdrawal of civil violation notices issued pursuant to Chapter 8CC; civil penalties; costs and expenses of enforcement; attorneys' fees; and remedial or corrective action. Except as expressly and specifically provided in the executed written consent agreement, an executed written agreement shall neither be evidence of a prior violation of this chapter nor shall such agreement be deemed to impose any limitation or action by the Directors, Building Official, or the County in enforcing any of the provisions of this chapter or the Florida Building Code, nor shall the agreement constitute a waiver of or limitation upon the enforcement of any federal, state or local law or ordinance. Each violation of any of the terms of an executed written consent agreement shall constitute a separate violation under this chapter by the persons who executed the agreement and by their respective officers, directors, agents, servants, employees, attorneys, heirs, successors and assigns, and by any persons in active concert or participation with any of the foregoing persons and who have received actual notice of the consent agreement. Each day during any portion of which each such violation occurs constitutes a separate offense under this chapter.<<

#### **Sec. 10-15.2. Administrative suspension.**

\* \* \*

(b) Points shall be assessed as follows:

\* \* \*

(4) Conviction of violation of Section ~~[[304]]~~>>104<<, ~~[[South]]~~ Florida Building Code--Ten (10) points.

(5) Conviction of violation of Section ~~[[201.1(e)]]~~>>8-21(d) of the Code of Miami-Dade County<<, ~~[[South Florida Building Code]]~~--Ten (10) points.

(6) Conviction of violation of Section ~~[[105.2]]~~>>8-14 of the Code of Miami-Dade County <<, ~~[[South Florida Building Code]]~~ --Four (4) points.

(7) Conviction of violation of Section ~~[[105.3]]~~>>8-16 of the Code of Miami-Dade County <<, ~~[[South Florida Building Code]]~~ --Six (6) points.

~~[[8)]~~ Conviction of violation of Section ~~305.5, South Florida Building Code~~ Six (6) points.

~~(9)]~~>>8<<) Conviction of violation of Section ~~[[3324]]~~ >>24-18 of the Code of Miami-Dade County <<, ~~[[South Florida Building Code]]~~--Six (6) points.

~~[[10]]~~>>9<<) Conviction of Section ~~[[305.2]]~~ >>104.5<<, ~~[[South]]~~ Florida Building Code--Six (6) points.

~~[[11]]~~>>10<<) Suspension or revocation of certificate by Florida Construction Industry Licensing Board or Florida Electrical Contractors' Licensing Board--Ten (10) points.

\* \* \*

(e) The holder of any certificate suspended pursuant to this Section 10-15.2 may request in writing that the appropriate division of the Board reinstate the certificate at its first available meeting. The Division may reinstate the certificate upon a finding that the certificate was suspended due to clerical error >>or causes undue hardship<<.

\* \* \*

#### **Sec. 10-19.1. Business records requirements .**

\* \* \*

#### **>>Sec. 10.19.2. Address notification requirements.**

Each certificate holder of the department shall be solely responsible for notifying the department in writing of the certificate holder's current mailing address and phone number. If the mailing address is not the certificate holder's physical address, the certificate holder shall also provide the physical address.

(a) A certificate holder's failure to notify the Miami-Dade Building Code Compliance Office of a change in address or phone number shall constitute a violation of this section.

(b) The certificate holder shall be responsible for retaining proof that the certificate holders has notified the Miami-Dade Building Code Compliance Office of the certificate holder's current address or record.<<

**Sec. 10-20. Construction Trades Qualifying Board.**

(A) *Membership, appointment, qualifications, Secretary, compensation.* There is hereby established a Construction Trades Qualifying Board consisting of twenty-~~[[six]]~~ >>seven<< (~~[[26]]~~ >>27<<) members appointed by the Board of County Commissioners.

The membership shall be comprised of two (2) registered architects, two (2) registered engineers, and the qualifying agents of each of the following types of contractors holding a certificate of competency pursuant to this chapter issued by Division A or Division B of the Miami-Dade County Construction Trades Qualifying Board: Four (4) general contractors, two (2) engineering contractors, three (3) electrical contractors, ~~[[two (2)]]~~ >>three (3)<< plumbing contractors, two (2) mechanical contractors, two (2) roofing contractors, one (1) contractor certified in both swimming pool piping and swimming pool maintenance (~~[[unlimited]]~~ >>commercial<<) categories, ~~[[two (2)]]~~ >>one (1)<< liquefied petroleum installation contractors>>, one (1) swimming pool contractor<< and four (4) members from the general public with each member to have one (1) vote. Those individuals appointed as alternate members of the Board and currently serving in that capacity on the effective date of Ordinance No. 75-75 shall automatically be appointed as regular members for the duration of the terms for which they were appointed as alternates. If a contractor having a Miami-Dade County certificate of competency at the time of his appointment fails to renew or maintain that certification, he will be disqualified from membership on the Board and a replacement appointed by the Board of County Commissioners.

\*

\*

\*

**(C) *Organization of Board.***

(1) The Board shall elect a Chairman and Vice-Chairman and such other officers as+may be necessary from among its members. Terms of all offices shall be for one (1) year.

(2) The Board shall be divided into Division A and Division B, as follows, for the purposes hereinafter provided:

(a) Division A to consist of the three (3) general contractors, two (2) engineering contractors, two (2) architects, and two (2) roofing contractors, two (2) registered engineers>>, one (1) swimming pool contractor<< and two (2) members from the general public.

(b) Division B to consist of the three (3) electrical contractors, ~~[[two (2)]]~~ >>three (3)<< plumbing contractors, two (2) mechanical contractors, ~~[[two (2)]]~~ >>one (1)<< liquefied petroleum installation contractors, one (1) swimming pool piping and maintenance (~~[[unlimited]]~~ >>commercial<<)



contractor, one (1) general contractor and two (2) members from the general public.

(c) Each division shall elect a Chairman and Vice-Chairman and such other officers as may be necessary from among its members. Terms of all officers shall be for one (1) year. The Director of the Building Code Compliance Office shall serve as Secretary for each division but shall have no vote. The Director shall be permitted to designate a staff member to serve in his stead.

~~[[ (d) In addition to the membership otherwise provided for, the Board of County Commissioners shall appoint four (4) special members of Miami-Dade County homeowner associations, two (2) for Division A, and two (2) for Division B. These special members shall be evenly and geographically representative of the County. The sole function of these members shall be to participate in and vote in disciplinary proceedings. ]]~~

\* \* \*

#### **Sec. 10-22. Prohibited acts and omissions.**

\* \* \*

(b) Abandon without legal excuse a construction project or operation in which the contractor is engaged or under contract as a contractor. A construction project ~~[[for the repair, alteration, addition or remodeling of a residential structure of Group I occupancy]]~~ is abandoned if the contractor terminates the project without just cause, or fails to perform work without just cause for thirty (30) consecutive days. A finding of abandonment shall have no effect on the status or validity of any permits obtained for the work involved.

(c) Divert funds or property received for the execution or completion of a specific construction project or operation or for a specific purpose to any other use whatsoever.

(d) To depart from or disregard in any material respect the plans or specifications of a construction job without the consent of the owner or his duly authorized representative, and the building official, as defined by the ~~[[South Florida]]~~ Building Code.

(e) Disregard or violate any provision of Chapters >>2,<< 8, 8A, >>8C,<< 9, 11B, 11C, 13, 15, 17, 18A, 19A, 24, 28, 32 or 33 of this Code or any provision of the >>Miami-Dade County Public Works Manual or the<< ~~[[South Florida]]~~ Building Code, as presently written and as may be hereinafter amended from time to time.

\* \* \*

**Section 2.** If any section, subsection, sentence, clause or provision of this ordinance is held invalid the remainder of this ordinance shall not be affected by such invalidity.

**Section 3.** It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance including any Sunset provision, shall become and be made part of the Miami-Dade County Code. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article" or other appropriate word.

**Section 4.** This ordinance shall become effective ten (10) days after the date of its enactment, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as  
to form and legal sufficiency:

RA6

Prepared by:

SM

Stephanie R. Miller